

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

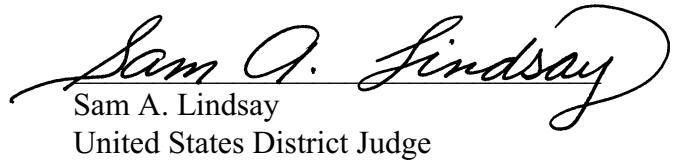
GRADY ALLEN DAVIS, §  
§  
Plaintiff, § Civil Action No. **3:12-CV-2013-L**  
v. §  
§  
SHERIFF LUPE VALDEZ, *et al.*, §  
§  
Defendants. §

**ORDER**

Before the court is Plaintiff's Notice of Appeal (Doc. 65), filed January 9, 2014, which the court construes as a motion for leave to file an appeal out of time (Doc. 65). On February 6, 2014, Magistrate Judge David L. Horan entered Findings, Conclusions and Recommendation of the United States Magistrate Judge ("Report"), recommending that the court grant Plaintiff a thirty-day extension to file his notice of appeal, pursuant to Federal Rule of Appellate Procedure 4(a), and deem his notice of appeal as timely because good cause exists for the untimely filing. No objections to the Report were filed.

After reviewing the pleadings, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **grants** Plaintiff's motion for leave to file an appeal out of time (Doc. 65), **grants** Plaintiff a thirty-day extension of time to appeal under Federal Rule of Appellate Procedure 4(a), and **deems as timely** his notice of appeal, filed on January 9, 2014.

**It is so ordered** this 21st day of February, 2014.



Sam A. Lindsay  
United States District Judge